

Application No.: 10/659203  
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**REMARKS****Election/Restrictions:**

Applicant affirms the election of group I, comprising polyimide as the preferred species definitive of the thermoplastic component, claims 1 and 6-9. This election is made without traverse. Claims 2-5 have been withdrawn as being directed to non-elected invention, however, Applicant reserves the right to prosecute these claims in one or more divisional applications.

**Claim Objections:**

Claim 9 has been objected to under 37 CFR 1.75 (c) as being in improper form for being a multiple dependent claim dependent from another multiple dependent claim. Claim 9 has been amended to correct the form to be dependent from non-multiple dependent claims.

New claims 10-12 have been added for proper form regarding multiple dependent claims. These claims are not new subject matter as they are from original claim 9. These claims have been amended for proper form and are now believed to be in condition for allowance. Reconsideration and allowance is respectfully requested.

**35 USC § 112 – Claim Rejections:**

Claims 1 and 6-8 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (Note to Examiner, it is believed that the Examiner's rejection is to claims 1 and 6-8 and not "claims 1 and 5-8" as indicated in the office action because claim 5 is not in the elected group. If this understanding is in error, Applicant would be happy to respond accordingly upon notification from the Examiner.)

Claim 1 has been amended to include the phrase "wherein the weight percentages are based on the total weight of the composition." This is to clarify that the percentages are based upon the whole composition. This is supported in the specification by the Examples (e.g. Examples 1, 3-6 and 8).

Claim 8 has been amended to remove the term "preferably". This amendment is made for clarity.

In view of the above reasons, these claims are now believed to be in allowable condition. Reconsideration and allowance is respectfully requested.

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**35 USC 103 – Claim Rejections:**

Claim 1 and 6-8 are rejected under 35 USC 103(a) as being unpatentable over US 5,789,523 (George et al) in view of US 5,576,358 (Lem et al). Applicant respectfully disagrees.

Applicant contends that George requires the use of a particulate polyimide, whereas the present invention (claim 1) uses a thermoplastic polymer instead. (i.e. Claims 1 and 6-8, of the present invention, do not claim the use of a particulate polyimide as in George et al. The particulate polyimide of George et al. is non-meltable polymer. This is supported by George, column 2, lines 60-63 where aromatic polyimides, such as PMDA-ODA are disclosed as preferred polyimides. It is known in the art that this is a non-melting polymer. This contrasts with the present invention in claim 1, where thermoplastic (i.e. meltable) polymer is used. Thus, Applicant contends that the present composition of claim 1 would not have been obvious to one of ordinary skill in the art in view of George et al to use thermoplastic for the present invention to achieve a coefficient of friction of less than 0.20. Claims 6-8 are dependent from claim 1 and presumably allowable for the above stated reasons with regard to claim 1.

The Examiner states that claims 7 and 8 are obvious based on George in view of Lem though George does not expressly disclose the length of the carbon fibers but Lem discloses the use of chopped carbon fibers of usually greater than 0.01 cm. Applicants disagree.

Lem teaches the composition and process for preparing “friction materials” i.e. materials for brake pads and the like, where *moderate to high* friction is generally desired. Whereas, the current invention teaches *reduced* friction. (claim 1). In addition, Lem classifies fibers as reinforcing materials, separate from friction modifiers, fillers, and matrix (column 3, lines 34-39). Thus, Applicant contends that one of ordinary skill in the art would not deduce from Lem that using chopped carbon fibers would be effective at reducing friction. In fact, Lem teaches away from reducing friction taught by the present invention. For the above reasons, claims 7 and 8, which are dependent from claim 1, are believed to be in allowable condition. Hence, Applicant contends that the present invention is not obvious in view of George or Lem.

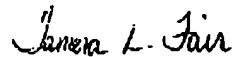
No extension fee is believed due for consideration of this response. However, should this belief be in error, please charge to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company) the appropriate fee.

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In view of the foregoing, allowance of the above-referenced application and claims 1 and 6 - 12 are respectfully requested.

Respectfully submitted,



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Dated: May 17, 2005

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